



JFM

Docket No.: 57810-079

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Ryosuke USUI, et al.	:	Confirmation Number: 6655
	:	
Application No.: 10/671,458	:	Group Art Unit: 2814
	:	
Filed: September 29, 2003	:	Examiner: L. Pham
	:	
For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING THE SAME		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated November 24, 2004, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 14 through 21 directed to a method; or

Group II. Claims 1 through 13 directed to a device.

In response Applicants elect to prosecute device claims 1 through 13 (Group II).
Favorable consideration of device claims 1 through 13 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

10/671,458

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Arthur J. Steiner
Registration No. 26,106

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 AJS:ntb
Facsimile: 202.756.8087
Date: December 22, 2004

**Please recognize our Customer No. 20277
as our correspondence address.**